

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X  
ZHENKAI SUN, WEI GAO, YANGYANG GAO,  
and CHARLES CHIPENGULE, on behalf of  
themselves and others similarly situated,

Plaintiffs,

JUDGMENT  
16 CV 4840 (RPK)(LB)

-against-

SUSHI FUSSION EXPRESS, INC., d/b/a Sushi  
Fussion, MICHAEL M. YUGADAEV, SUSHI  
FUSSION LLC, d/b/a Sushi Fussion, SUSHI  
FUSSION OF KINGS HWY, INC., d/b/a Sushi  
Fussion, LEVA KATANOV, LEVI KATANOV, LEO  
KATANOV, SUSHI FUSSION FIVETOWN, INC.,  
d/b/a Sushi Fussion, SUSHI FUSSION OF 47<sup>TH</sup>  
STREET INC., d/b/a Sushi Fussion, SUSHI  
FUSSION OF FOREST HILLS, INC., d/b/a  
Sushi Fussion, SUSHI FUSSION OF NYC INC.,  
d/b/a Sushi Fussion, and HIBACHI EXPRESS  
MAIN ST. INC., d/b/a Hibachi Express,

Defendants.

----- X

An Order of Honorable Rachel P. Kovner, United States District Judge, having been filed on January 3, 2023, adopting the Report and Recommendation of Magistrate Judge Lois Bloom, dated December 6, 2022, which recommended that plaintiffs' motion for a default judgment against defendants Yugadaev, Sushi Fussion Express, and Hibachi Express should be granted as to liability and plaintiffs should be awarded damages as stated in this Report and Recommendation; that Plaintiff Wei Gao should be awarded a total of \$81,821.62 against defendants to increase by \$6.76 per day until the entry of judgment and post-judgment interest as set forth in 28 U.S.C. 1961(a); that Plaintiff Zhenkai Sun should be awarded a total of \$91,748.56 against defendants to increase by \$7.46 per day until the entry of judgment and post-judgment interest as set forth in 28 U.S.C. 1961(a); that Plaintiff Eddie Gao should be awarded a

total of \$351,236.30 against defendants to increase by \$31.75 per day until the entry of judgment and post-judgment interest as set forth in 28 U.S.C. 1961(a); that Plaintiff Charles Chipengule should be awarded a total of \$69,370.90 against defendants to increase by \$5.08 per day until the entry of judgment and post-judgment interest as set forth in 28 U.S.C. 1961(a); that if any amount of the judgment remains unpaid after ninety-days or ninety-days after the expiration of the time to appeal, the total amount of the judgment should increase as provided by NYLL § 198(4); and the Clerk of Court having calculated the additional interests at the rates set forth above from the date of the R&R through the date of entry of judgment, and the interests being \$209.56(Wei Gao), \$231.26 (Sun); \$984.25(Eddie Gao) and \$157.48(Chipengule); it is

ORDERED and ADJUDGED that plaintiffs' motion for a default judgment against defendants Yugadaev, Sushi Fussion Express, and Hibachi Express is granted as to liability; that Plaintiff Wei Gao is awarded a total amount of \$82,031.18 plus post-judgment interest as set forth in 28 U.S.C. 1961(a); that Plaintiff Zhenkai Sun is awarded a total amount of \$ 91,979.82 and post-judgment interest as set forth in 28 U.S.C. 1961(a); that Plaintiff Eddie Gao is awarded a total amount of \$352,220.55 plus post-judgment interest as set forth in 28 U.S.C. 1961(a); that Plaintiff Charles Chipengule is awarded a total amount of \$ 69,528.38; and that if any amount of the judgment remains unpaid after ninety-days or ninety-days after the expiration of the time to appeal, the total amount of the judgment should increase as provided by NYLL § 198(4).

Dated: Brooklyn, NY  
January 6, 2023

Brenna B. Mahoney  
Clerk of Court

By: /s/Jalitza Poveda  
Deputy Clerk